

1 Counsel listed on next pages  
2  
3  
4  
5

6 UNITED STATES DISTRICT COURT  
7 NORTHERN DISTRICT OF CALIFORNIA  
8

9 Jeremy Stanfield, Romonia Persaud, and  
10 Shabnam Sheila Dehdashtian, individually, on  
behalf of all others similarly situated, and on  
behalf of the general public,

11 Plaintiffs,

12 v.

13 First NLC Financial Services, LLC, and  
14 DOES 1 through 50 inclusive,

15 Defendants.

16 Case No. C 06-3892 SBA JL  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**STIPULATION AND [PROPOSED]  
ORDER ISSUING RENEWED  
JUDICIAL NOTICE OF  
COLLECTIVE ACTION AND  
SETTING OPT-IN DATES OF  
CERTAIN PLAINTIFFS IN  
COLLECTIVE ACTION**

Judge: Hon. Saundra B. Armstrong

Date Action Filed: June 22, 2006

1 PETER RUKIN (State Bar No. 178336)  
2 JOHN HYLAND (State Bar No. 178875)  
3 RUKIN HYLAND DORIA & TINDALL, LLP  
4 100 Pine Street, Suite 725  
5 San Francisco, CA 94111  
6 Telephone: (415) 421-1800  
7 Facsimile: (415) 421-1700

8 DONALD H. NICHOLS (MN State Bar No. 78918)  
9 (Admitted *pro hac vice*)  
10 PAUL J. LUKAS (MN State Bar No. 22084X)  
11 (Admitted *pro hac vice*)  
12 RACHHANA T. SREY (MN State Bar No. 3401433)  
13 (Admitted *pro hac vice*)  
14 MATTHEW C. HELLAND (MN State Bar No. 346214)  
15 (Admitted *pro hac vice*)  
16 4600 IDS Center  
17 80 South Eighth Street  
18 Minneapolis, MN 55402

19 BRYAN J. SCHWARTZ (State Bar No. 209903)  
20 NICHOLS KASTER & ANDERSON, LLP  
21 One Embarcadero Center  
22 Suite 720  
23 San Francisco, CA 94111  
24 Telephone: (415) 277-7236  
25 Facsimile: (415) 277-7238

26 **Attorneys for Individual and Representative Plaintiffs**

27     ///

28     ///

1     ///

2     ///

3     ///

4     ///

5     ///

6     ///

7     ///

8     ///

9     ///

10     ///

11     ///

1       TIMOTHY J. LONG (State Bar No. 137591)  
2       ORRICK, HERRINGTON & SUTCLIFFE LLP  
3       400 Capitol Mall, Suite 3000  
4       Sacramento, California 95814  
5       Telephone: (916) 447-9200  
6       Facsimile: (916) 329-4900  
7       E-mail: t jlong@orrick.com

8       MICHAEL D. WEIL (State Bar No. 209056)  
9       KATINA B. BOOSALIS (State Bar No. 244914)  
10      ORRICK, HERRINGTON & SUTCLIFFE LLP  
11      405 Howard Street  
12      San Francisco, CA 94105  
13      Telephone: (415) 773-5700  
14      Facsimile: (415) 773-5759  
15      E-mail: mweil@orrick.com  
16      E-mail: kboosalis@orrick.com

17      STEPHEN G. MORRISON (Admitted *Pro Hac Vice*)  
18      NELSON MULLINS RILEY & SCARBOROUGH LLP  
19      Meridian, 17th Floor  
20      1320 Main Street  
21      Columbia, SC 29201  
22      Telephone: (803) 255-9410  
23      Facsimile: (803) 255-9472  
24      E-mail: steve.morrison@nelsonmullins.com

25      KENNETH E. YOUNG (Admitted *Pro Hac Vice*)  
26      NELSON MULLINS RILEY & SCARBOROUGH LLP  
27      100 N. Tryon Street, 42nd Floor  
28      Charlotte, NC 28202  
29      Telephone: (704) 417-3041  
30      Facsimile: (704) 417-3012  
31      E-mail: ken.young@nelsonmullins.com

32      **Attorneys for Defendant**  
33      **First NLC Financial Services, LLC**

---

1 PURSUANT TO LOCAL RULE 7-12, Plaintiffs Jeremy Stanfield, *et al.* and  
2 Defendant First NLC Financial Services, LLC (collectively, "the parties") stipulate as follows:

3 WHEREAS, the parties have discovered that the original list of putative class  
4 members was missing putative class members;

5 WHEREAS, the parties have agreed, upon Court approval, to conduct a second  
6 mailing of the Court-approved notice and conduct a second sixty-day opt-in period for individuals  
7 missing from the original class list;

8 WHEREAS, through stipulation of the parties and Court order, plaintiffs filed a  
9 second amended complaint to include individuals who worked in a fourth job title, Branch  
10 Processor, to be included in the collective action;

11 WHEREAS, the parties stipulate that individuals in the Branch Processor title may  
12 receive notice of this collective action and have a sixty day period to opt into the collective  
13 action;

14 WHEREAS, the parties have agreed upon the language to be contained in the  
15 Court-approved notice to both the individuals missing from the original list of putative class  
16 members and the Branch Processors (**ATTACHMENT 1**);

17 WHEREAS, the parties have agreed that certain individuals whose consent forms  
18 were not served by the original opt-in deadline (February 12, 2007) will be permitted to opt-into  
19 the suit, on the dates indicated on the attached list (**ATTACHMENT 2**);

20 WHEREAS, nothing by this stipulation or any other written or oral agreement by  
21 First NLC shall be construed as an admission or a waiver that class certification or a collective  
22 action for any of these job positions identified in plaintiffs' complaints or in this case is  
23 appropriate;

24 IT IS HEREBY STIPULATED by and between the parties to this action through  
25 their designated counsel as follows:

26 The parties respectfully request that this Court approve for immediate mailing  
27 **ATTACHMENT 1** (renewed judicial notice) and adopt for all purposes the opt-in dates indicated  
28 on **ATTACHMENT 2**.

1  
2  
3 Dated: March 16, 2007

4  
5  
6 NICHOLS KASTER & ANDERSON, LLP

7  
8  
9 By: \_\_\_\_\_ /s/  
10 Bryan J. Schwartz  
11 Attorneys for Plaintiffs and Representative Plaintiffs

12 Dated: March 16, 2007

13  
14 ORRICK, HERRINGTON & SUTCLIFFE LLP  
15 NELSON MULLINS RILEY & SCARBOROUGH  
16 LLP

17  
18 By: \_\_\_\_\_ /s/  
19 Michael D. Weil  
20 Attorneys for Defendant  
21 First NLC Financial Services, LLC

22  
23  
24  
25  
26  
27  
28 **ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 3/20/07

  
Honorable Sandra B. Armstrong  
United States District Court Judge